

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/510,486

Attorney Docket No.: Q83955

AMENDMENTS TO THE DRAWINGS

Applicant submits herewith two replacement sheets of formal drawings for Figures 73 and 74.

Attachment: 2 Replacement Sheets

REMARKS

Claims 10-19 have been examined. Claims 10 and 19 have been rejected under 35 U.S.C. § 102(e), and claims 10, 12, 16 and 19 have been rejected under 35 U.S.C. § 103(a). Also, the Examiner has indicated that claims 11, 13, 14, 15, 17 and 18 contain allowable subject matter.

I. Preliminary Matters

The Examiner has indicated that if claim 10 should be found allowable, claim 19 will be objected to as being a substantial duplicate thereof. However, claim 10 is directed to a rotation angle detection device, while dependent claim 19 is directed to a dynamo-electric machine incorporating the rotation angle detection device of claim 10. A claim which makes reference to a preceding claim to define a limitation is an acceptable claim construction (See MPEP 2173.05(f)). Nevertheless, Applicant has rewritten claim 19 into independent form for clarification.

The Examiner has objected to Figures 73 and 74 as not being labeled as “prior art.” Accordingly, Applicant is providing herewith two replacement drawings for Figures 73 and 74 which contain the label “prior art.”

The Examiner has objected to the title of the invention as not being indicative of the invention to which the claims are directed. Accordingly, Applicant has amended the title in a manner believed to overcome the objection. Applicant submits that the title should not be used to narrow the scope of the claims.

Also, the Examiner has objected to claims 1-13 and 18 due to minor informalities. Accordingly, Applicant has amended the claims in a manner believed to overcome the objections. Such changes are not made in view of the prior art.

II. Rejections under 35 U.S.C. § 102(e)

The Examiner has rejected claims 10 and 19 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,891,365 to Nakano et al. ("Nakano"). However, the filing date of Nakano (i.e. October 16, 2002) is after the filing date (i.e. April 15, 2002) of Applicant's foreign priority document JP 2002-111800. In addition, Nakano was published (i.e., April 23, 2003) after the effective filing date of the current Application (i.e., PCT filing date of April 15, 2003). Accordingly, Applicant is hereby removing Nakano as a prior art reference by perfecting the claim to foreign priority. Submitted herewith is a certified English translation of JP 2002-111800.

In view of the above, Applicant submits that the rejection of claims 10 and 19 are overcome.

III. Rejections under 35 U.S.C. § 103(a) in view of Nakano

The Examiner has rejected claims 10 and 19 under 35 U.S.C. § 103(a) in view of Nakano. However, as set forth above, Applicant is hereby removing Nakano by perfecting the claim to foreign priority. Accordingly, Applicant submits that the rejections of claims 10 and 19 are overcome.

IV. Rejections under 35 U.S.C. § 103(a) in view of Nakano and U.S. Patent No. 5,866,964 to Li ("Li")

The Examiner has rejected claims 12 and 16 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakano in view of Li. However, as set forth above, Applicant is hereby removing Nakano by perfecting the claim to foreign priority. Accordingly, Applicant submits that the rejections of claims 12 and 16, in view of Nakano and Li, are overcome.

V. Allowable Subject Matter

As stated above, the Examiner has indicated that claims 11, 13, 14, 15, 17 and 18 contain allowable subject matter.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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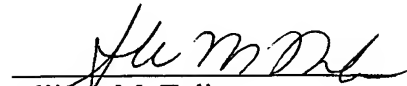
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